

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,
v.

(01) RANDY G. DABNEY,
[DOB: 11-27-1963]

(02) JAMES O. MITCHELL,
[DOB: 01-18-1972]

(03) CHRISTOPHER R. MAYS,
[DOB: 09-07-1981]

(04) MICHAEL J. BOEHM,
[DOB: 10-27-1994]

and

(05) KAYLA A. MORRILL,
[DOB: 08-14-1976]

Defendants.

Defendants/Counts:

- (01) DABNEY: 1, 2, 15-23
- (02) MITCHELL: 1, 3, 7, 11-14, 24-25
- (03) MAYS: 1, 4-6, FA
- (04) BOEHM: 1, 8-10
- (05) MORRILL: 1 and 3

No. 17-3007-01/05-CR-S-RK

COUNT 1

21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(A)
NLT 10 Years Imprisonment
NMT Life Imprisonment
NMT \$10,000,000 Fine
NLT 5 Years Supervised Release
Class A Felony

COUNTS 2, 7, 15, 20, and 24

21 U.S.C. § 841(a)(1) and (b)(1)(C)
NMT 20 Years Imprisonment
NMT \$1,000,000 Fine
NLT 3 Years Supervised Release
Class C Felony

COUNTS 3, 4, 8, 11, and 14

21 U.S.C. § 841(a)(1) and (b)(1)(B)
NLT 5 Years Imprisonment
NMT 40 Years Imprisonment
NMT \$5,000,000 Fine
NLT 4 Years Supervised Release
Class B Felony

COUNTS 5, 9, 12, and 16

18 U.S.C. § 924(c)
NLT 5 Years Imprisonment Consecutive to
Counts 1, 4, 8, 11, and 15
NMT \$250,000 Fine
NMT 5 Years Supervised Release
Class A Felony

COUNTS 6, 10, 13, 17, 18, 21, 22, 23, and 25

18 U.S.C. § 922(g)(1) and 924(a)(2)
NMT 20 Years Imprisonment
NMT \$250,000 Fine
NMT 5 Years Supervised Release
Class C Felony

COUNT 19

26 U.S.C. § 5861(d)
NMT 10 Years Imprisonment
NMT \$10,000 Fine
NMT 3 Years Supervised Release
Class C Felony

FORFEITURE ALLEGATION
21 U.S.C. § 853

\$100 Special Assessment (Each Count)

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

Beginning on an unknown date, but no later than November 24, 2015, and continuing to on or about September 28, 2016, in Greene County and Webster County, in the Western District of Missouri, and elsewhere, the defendants, **RANDY G. DABNEY, JAMES O. MITCHELL, CHRISTOPHER R. MAYS, MICHAEL J. BOEHM, and KAYLA A. MORRILL**, knowingly and intentionally conspired, together and with one another, and with other persons known and unknown to the Grand Jury, to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(viii), all in violation of Title 21, United States Code, Section 846.

COUNT 2

On or about November 24, 2015, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, knowingly and intentionally possessed with intent to distribute, a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 3

On or about February 17, 2016, in Webster County, in the Western District of Missouri, the defendants, **JAMES O. MITCHELL** and **KAYLA A. MORRILL**, aiding and abetting one another, knowingly and intentionally possessed with intent to distribute, 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii) and Title 18, United States Code, Section 2.

COUNT 4

On or about March 4, 2016, in Greene County, in the Western District of Missouri, the defendant, **CHRISTOPHER R. MAYS**, knowingly and intentionally possessed with intent to distribute, 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

COUNT 5

On or about March 4, 2016, in Greene County, in the Western District of Missouri, the defendant, **CHRISTOPHER R. MAYS**, knowingly possessed a firearm, that is: a Taurus Millennium brand, PT 111 model, 9mm, semi-automatic pistol, serial number TEW21091, in furtherance of the offense of conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine as alleged in Count 1, and in furtherance of the offense of possession with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, as alleged in Count 4, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6

On or about March 4, 2016, in Greene County, in the Western District of Missouri, the defendant, **CHRISTOPHER MAYS**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is: a Taurus Millennium brand, PT 111 model, 9mm, semi-automatic pistol, serial number TEW21091, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 7

On or about March 24, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, knowingly and intentionally distributed a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 8

On or about March 25, 2016, in Greene County, in the Western District of Missouri, the defendant, **MICHAEL J. BOEHM**, knowingly and intentionally possessed with intent to distribute, 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

COUNT 9

On or about March 25, 2016, in Greene County, in the Western District of Missouri, the defendant, **MICHAEL J. BOEHM**, knowingly possessed firearms, that are: (1) a Norinco brand, Hunter model, 7.62 x 39mm, semi-automatic rifle, serial number 128290; (2) a Beretta brand, 92FS model, 9mm, semi-automatic pistol, serial number BER683941; (3) a Smith and Wesson brand,

M&P-15 model, .223-caliber, semi-automatic rifle, serial number SU11118; (4) a Winchester brand, 94 model, .30-30-caliber, lever-action rifle, serial number 2949556; and (5) a Winchester brand, 70 XTR Sporter 300 Weatherby Magnum model, .300-caliber, bolt-action rifle, serial number G2018429, in furtherance of the offense of conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine as alleged in Count 1, and in furtherance of the offense of possession with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, as alleged in Count 8, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 10

On or about March 25, 2016, in Greene County, in the Western District of Missouri, the defendant, **MICHAEL J. BOEHM**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, firearms, that are: (1) a Norinco brand, Hunter model, 7.62 x 39mm, semi-automatic rifle, serial number 128290; (2) a Beretta brand, 92FS model, 9mm, semi-automatic pistol, serial number BER683941; (3) a Smith and Wesson brand, M&P-15 model, .223-caliber, semi-automatic rifle, serial number SU11118; (4) a Winchester brand, 94 model, .30-30-caliber, lever-action rifle, serial number 2949556; and (5) a Winchester brand, 70 XTR Sporter 300 Weatherby Magnum model, .300-caliber, bolt-action rifle, serial number G2018429, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 11

On or about April 1, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, knowingly and intentionally possessed with intent to distribute, 50 grams or more of a mixture or substance containing a detectable amount of

methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

COUNT 12

On or about April 1, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, knowingly possessed a firearm, that is: a Springfield Armory brand, XD-40 model, .40-caliber, semi-automatic pistol, serial number US369861, in furtherance of the offense of conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine as alleged in Count 1, and in furtherance of the offense of possession with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, as alleged in Count 11, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 13

On or about April 1, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is: a Springfield Armory brand, XD-40 model, .40-caliber, semi-automatic pistol, serial number US369861, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 14

On or about April 7, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, knowingly and intentionally possessed with intent to distribute, 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

COUNT 15

On or about April 14, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, knowingly and intentionally possessed with intent to distribute, a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 16

On or about April 14, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, knowingly possessed a firearm, that is: a Rock Island Armory brand, .45-caliber, semi-automatic pistol, serial number RIA1141720, in furtherance of the offense of conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine as alleged in Count 1, and in furtherance of the offense of possession with the intent to distribute a mixture or substance containing a detectable amount of methamphetamine, as alleged in Count 15, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 17

On or about April 14, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is: a Rock Island Armory brand, .45-caliber, semi-automatic pistol, serial number RIA1141720, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 18

On or about April 26, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is: a Ruger brand, 10/22 model, .22-caliber rifle, serial number 252-44816, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 19

On or about April 26, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, knowingly possessed a firearm, as defined by Title 26, United States Code, Section 5845(a) and (c), specifically, a Ruger brand, 10/22 model, .22-caliber rifle, serial number 252-44816, a weapon made from a rifle having an overall length of less than 26 inches, and a barrel of less than 16 inches in length, not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

COUNT 20

On or about May 4, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, knowingly and intentionally possessed with intent to distribute, a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 21

On or about May 4, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, having been convicted of a crime punishable by imprisonment

for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is: a Star B. Echevarria brand, Super model, 9mm, semi-automatic pistol, serial number 031909, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 22

On or about May 24, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is: a Colt brand, MK IV Series 80 model, .45-caliber, semi-automatic pistol, serial number FC06049, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 23

On or about June 1, 2016, in Greene County, in the Western District of Missouri, the defendant, **RANDY G. DABNEY**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, firearms, that are: (1) a Jimenez Arms Inc. brand, J.A. NINE model, 9mm, semi-automatic pistol, serial number 235322; (2) a Taurus brand, PT1911 model, .45-caliber, semi-automatic pistol, serial number NB088478, and (3) an O.F. Mossberg and Sons brand, 500 model, 12-gauge shotgun, serial number R761470, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 24

On or about June 8, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, knowingly and intentionally possessed with intent to distribute, a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT 25

On or about June 8, 2016, in Greene County, in the Western District of Missouri, the defendant, **JAMES O. MITCHELL**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, firearms, that are: (1) a Jimenez Arms brand, J.A. 32 model, .32-caliber, semi-automatic pistol, serial number 259929; and (2) a Cobra brand, CA-380 model, .380-caliber, semi-automatic pistol, serial number CP091025, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATION

1. The allegations contained in Count 1 of this Indictment are re-alleged and incorporated by reference for the purpose of alleging a forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. Upon conviction of the controlled substance offense alleged in Count 1 of this Indictment, the defendant, **CHRISTOPHER R. MAYS**, shall forfeit to the United States all property, real and personal, constituting, or derived from, proceeds obtained, directly and indirectly, as a result of the violations incorporated by reference in this Allegation and all property used, or intended to be used, in any manner or part, to commit, and to facilitate the commission of the violations alleged in Count 1 of this Indictment, including, but not limited to the following: all currency which were received during, involved in or used or intended to be used to facilitate the crimes alleged in Count 1 of this Indictment, which amount is at least \$15,407 in U.S. currency, in proceeds, as a money judgment, in that the property was involved in those offenses or is traceable to such property, in violation of Title 21, United States Code, Section 841(a)(1).

SUBSTITUTE ASSETS

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without

difficulty; The United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All in accordance with Title 21, United States Code, Section 853, and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

A TRUE BILL.

/s/ Gary Tombridge
FOREPERSON OF THE GRAND JURY

Dated: 01/17/2017

/s/ Josephine M. Larison
Josephine M. Larison
Special Assistant United States Attorney

Dated: 01/17/2017

/s/ Nhan D. Nguyen
Nhan D. Nguyen
Assistant United States Attorney